

GERMANS WARN U.S. TO CURB BRITISH; SAY THE HOLD-UP OF FOOD MUST STOP

'MY BECKER EVIDENCE FALSE,' ASSERTS NEGRO WHOSE STORY HELPED CONVICT POLICEMAN

James Marshall, Chief Corroborating Witness for State, Repudiates Testimony as to Seeing Plotters Together.

(Special to The Evening World.) PHILADELPHIA, Feb. 13.—James Marshall, the negro witness whose testimony was the strongest link in the conviction of Charles Becker, the former police lieutenant of New York now under sentence of death for the murder of Herman Rosenthal, declared to-day that his testimony was false.

He charges that an Assistant District Attorney instructed him as to the evidence he should give.

This information was vouchsafed to a reporter after Marshall was discharged by Magistrate Briggs on a writ of habeas corpus.

Marshall, who lives at No. 1422 South Street, asserted that his testimony was sought by the State because there was a link missing in the chain of evidence against Becker, namely the testimony of a disinterested person to the effect that there was a murder plot to do away with Rosenthal.

Acting under instructions, Marshall said he testified that he had seen Becker talking to "Bald Jack" Rose, Bridgie Webber and Sam Schepps at the "Harlem conference." One Hundred and Twenty-fourth Street and Seventh Avenue. This furnished the needed link which the prosecution sought to uphold.

"I was taken to New York by Tom Maxwell, brother of Joe Maxwell, a New York theatrical agent, under the pretense of signing a contract for a twenty-week engagement in a New York theatre," said Marshall. "When we reached New York I was surprised when I was served with a subpoena calling me as a witness in the Becker trial. That was last May.

"I was taken to the office of an Assistant District Attorney, where I was examined as to my knowledge of the case. I told them that I knew nothing about a murder conspiracy.

Marshall then related the conversation between himself and the Assistant District Attorney as follows: "Did you see Becker, Jack Rose, Bridgie Webber and Sam Schepps talking at the corner of One Hundred and Twenty-fourth street and Seventh Avenue?" I was asked.

"No," I answered.

"You know Becker, don't you?" I then was asked.

"I know Becker," I replied, "but I don't know these other men and can't say that I saw them talking with Becker."

"It was then pointed out to me that the State had plenty of evidence that the three men seen talking with Becker were Rose, Webber and Schepps, but that the witnesses who

testified to this effect were discredited by the court, because they had an interest in the case.

"Since it was a known fact that they were the men and that I had seen Becker, I was urged to testify to that effect.

"I hesitated, but finally agreed to testify according to the District Attorney's wishes."

Marshall's testimony, given during the second trial of Becker, on May 18, 1914, proved to be the turning point in the case against the former Lieutenant of Police.

The negro, who is said to have been a former stool pigeon for Becker, gave his testimony in a straightforward manner that convinced the jury.

Marshall's mother lives at No. 46 West One Hundred and Thirty-third Street, New York.

Martin T. Manton of New York, Becker's chief counsel, was notified, and John B. Johnson, associated with Mr. Manton, left at once for this city to investigate. The developments may throw an entirely new factor in the appeal which Becker has made in the fight for his life.

Late this afternoon, Mr. Manton sent the following message to this city in reply to the notification of Marshall's statements:

Marshall's statement most astounding and absolutely new to us here. It is of the utmost importance to the defendant and the administration of justice and I am taking the first train to Philadelphia.

I will be greatly obliged if you can arrange for Mr. Johnston of my office to meet Marshall and get statement from him in your presence any time after 4.30 this afternoon.

James Marshall's testimony in the second Becker trial was the backbone of the case for the prosecution. In order to make out the case it was necessary for the District Attorney to establish, by the testimony of a witness, that Becker and Rose, at some time previous to the murder of Rosenthal met in Harlem and arranged the final details of the tragedy.

Rose, in his testimony, had sworn that Becker met him at One Hundred and Twenty-fourth Street and Seventh Avenue on the night of June 27, 1912, and told him that Rosenthal must be put out of the way. In the first trial Sam Schepps, one of Rose's associates, furnished the corroborating evidence.

The Court of Appeals threw out Schepps's testimony on this point as unworthy of belief and commented on the fact that the District Attorney had failed to produce corroborative evidence of any strength. In the second trial Mr. Whitman produced James Marshall, alias James Moore, a saddle colored, dapper negro, who

JUSTICE COHALAN GETS LICENSE TO WED SISTER-IN-LAW

Bride-to-Be Has Cared for His Seven Children Since Wife Died. PRETTY IRISH GIRL. Nuptial Mass to Be Celebrated Next Monday Morning on East Side.

Justice Daniel F. Cohalan, whose wife died on June 22, 1911, is to be married Monday morning to his sister-in-law, Miss Margaret O'Leary. The ceremony will be performed with a nuptial high mass at the Church of St. Francis de Sales, in East Ninety-sixth Street, and the celebrant of the mass will be Rev. Patrick O'Leary of St. Elizabeth's Church, a brother of Miss O'Leary.

When Justice Cohalan's wife died, leaving seven small children, her sister, Miss Margaret, came to New York from Ireland to look after the family. Since her arrival she has been a mother to the Cohalan children.

Two years ago when Justice Cohalan found it impossible to take his summer vacation trip to Ireland Miss O'Leary undertook the task of looking after the children on the voyage across the Atlantic. She brought them home without a mishap.

Miss O'Leary is twenty-seven, pretty and accomplished. She was born in Cureshever, County Cork, Ireland, where Justice Cohalan married her sister in 1899. Although he was married in Ireland and has a summer home there, Justice Cohalan is an American. He was born in Middletown, N. Y., Dec. 21, 1867.

Justice Cohalan and Miss O'Leary were spared the ordeal of appearing at the Marriage License Bureau, where the Justice would be instantly recognized. A clerk went to his chambers, where the license was issued. It had been his hope to keep the fact that he was to be married a secret from all save his most intimate friends.

The Cohalan children are Allen, fourteen; Con, twelve; Kathleen, eleven; Patrick, eight; Donald and Dermot (twins), six, and Florence, nearly four.

Called to Door and Shot. Kentucky Man's Body Riddled With Bullets by Band of Ten. LEXINGTON, Ky., Feb. 13.—A dispatch received here from Irvine today stated that a man named Underwood, who lived in the centre of that town, was called to the door of his home last night and his body riddled with bullets. Ten men were said to be in the band that did the shooting. Bloodhounds from Lexington have been sent to the scene. The dispatch did not say what caused the shooting.

"Lack of Courtesy" Led Miss Farrar to Break With Metropolitan, Says Mother

Gatti-Casazza Did Not Ask Singer to Sign New Contract, as She Expected.

Mrs. Sidney Farrar, mother of Geraldine Farrar, gave to an Evening World reporter, in their home at No. 18 West Seventy-fourth Street, the first authoritative explanation of the



GERALDINE FARRAR.

COMPROMISE SHIP BILL IN THE HOUSE; CAUCUS IS CALLED

Measure Approved by Wilson, to be Rushed After Conference of Democrats.

WASHINGTON, Feb. 13.—The compromise administration ship purchase bill was launched in the House this afternoon when it was formally introduced by Chairman Padgett of the Naval Committee, incorporated in a rule limiting its consideration to six hours next week. Chairman Alexander of the Merchant Marine Committee will have charge of the bill in the House.

The compromise bill, approved personally by the President, will not be accepted by the Senate Republicans. It was stated to-day. It was understood that they would continue the fight to prevent enactment before March 4, increasing prospects of an extra session.

The new House bill combines the Gore ship purchase bill, with its \$40,000,000 appropriation, and the Weeks naval auxiliary bill. It contains the provision against purchase of ships which would disturb present neutrality, and also provides that two years after the war the Government Shipping Commission shall turn over the new ships to the Secretary of the Navy, who, in his discretion, may operate them as a Government merchant marine line indefinitely or lease them to private shipping companies.

One concession made by the President was the "neutrality" clause, which is not contained in the present

BRITISH FLAG FLIES ON THE LUSITANIA AS BIG LINER SAILS

Two Hundred Transfer Passage to American Line Steamship St. Paul.

LATTER ALSO SETS OUT.

Some Observers Predict No Danger Until Ship Starts to Return.

LIVERPOOL, Feb. 13, via London (Associated Press).—The Cunard line steamer Lusitania, the vessel which flew the American flag across the Irish Sea on her last trip as a measure of protection against German submarines, sailed from Liverpool for New York at her usual hour to-day under the British flag.

Whether or not this emblem will still be flying when the Lusitania reaches the Irish sea was a question to which the keenly interested passengers found it impossible to answer.

The Lusitania carried a large list of passengers, including many Americans. Prospective American passengers to the number of 300, however, cancelled their bookings on the Lusitania at the last moment and transferred over to the American line steamer St. Paul, which also sailed for New York to-day. The St. Paul had the largest passenger list since the rush of American refugees last fall.

Most of the passengers were supremely confident that the Lusitania would not be interfered with on her present voyage, although it is expected the Germans will make a real attempt to get her if she returns on schedule time.

Although Admiralty officials were silent on the subject there was a general belief that the fleet commander had provided an escort of big and fast destroyers for both the Lusitania and St. Paul.

U. S. SHIELDS SPANISH ENVOY. Minister Caro, Expelled by Carranza, Rejoins the Delaware. VERA CRUZ, Mexico, Feb. 13.—Jose Caro, the Minister of Spain in Mexico, is to-day an involuntary fugitive on board the American battleship Delaware in the harbor of Vera Cruz. Expelled from the country by Gen. Carranza, Chief of the Constitutionalists, Senor Caro has accepted the reiterated invitation of the American authorities to take refuge on board the Delaware.

MEXICO CITY'S WATER CUT. Zapata Forces Destroy Waterworks Situation Critical. WASHINGTON, Feb. 13.—Zapata forces have destroyed the waterworks at Mexico City, the food famine has become more critical and indications are that Carranza forces may soon evacuate, official advice to the American Government say to-day.

Officials here are much concerned over the reports which have been coming for the last three days. With lack of food and unrest in the population, and the fact that Mexico City is of no great strategic importance, diplomats in Mexico City fear the place may be left without moment.

NEW ORLEANS WINNERS. FIRST RACE—Five and a half furlongs.—J. B. Harrell, 101 (Smyth), 3 to 2, 7 to 10 and 1 to 1, first; Buregt, 108 (Murphy), 10 to 1, 4 to 1 and 3 to 1, second; Arcene, 103 (Lally), 10 to 1, 4 to 1 and 2 to 1, third. Time, 1:07.

IMPORTED LA CAROLINA. Charles, 106 (Gent), 7 to 1, 4 to 1, 2 to 1, first; Buregt, 108 (Murphy), 10 to 1, 4 to 1 and 3 to 1, second; Arcene, 103 (Lally), 10 to 1, 4 to 1 and 2 to 1, third. Time, 1:07.

GERMAN AMBASSADOR THREATENS RETALIATION WHICH MAY HARM U.S.

Count von Bernstorff Notifies Bryan It Is to Our Interest to Seek "Favorable Action" in the Wilhelmina Case.

SAYS ENGLAND MUST NOT HIDE BEHIND U. S. FLAG

WASHINGTON, Feb. 13 (United Press).—The United States Government was advised this afternoon that an unfavorable outcome in the Wilhelmina foodstuff case, now up to a British prize court, will bring German retaliation against England, in which the United States may suffer commercially.

Ambassador von Bernstorff bore the warning to Secretary of State Bryan and Counsellor Lansing. While he refused to discuss the case for publication, it became known he suggested it would be to the United States' interest to seek favorable prize court action, with a view to releasing the steamship's foodstuffs cargo, bound for Germany.

The Department was told flatly that the Kaiser will not stand for England's plan to starve out Germany's civil population, and this Government was warned that the world may expect the strongest kind of retaliation.

The Ambassador hinted that American commerce might be shut off in the course of this retaliation. He suggested that the United States ought not to acquiesce in the seizure of the Wilhelmina and that this Government should continue insistent on its position against allowing English commerce to hide behind the American flag.

The seizure, he held, is arbitrary, in view of German guarantees that American food shipments will supply only the Fatherland's civil population.

The State Department indicated that there would be no change of policy toward the Wilhelmina. The United States will await the outcome of prize court proceedings before interposing any objection.

LONDON, Feb. 13 (Associated Press).—There is every indication in London to-day that the cargo of foodstuffs on the American steamship Wilhelmina, now in Portsmouth harbor, will not go through a prize court, but will be sold to the American Commission for Relief in Belgium.

Norway, Sweden and Denmark Protest Against War Zone Order. WASHINGTON, Feb. 13.—Following America's lead, it was learned to-day that Norway, Sweden and Denmark had protested to Germany against its latest war zone decree.

Though less vigorous than the Washington note, the Scandinavian communications were said to stand firmly behind the principle enunciated by the former.

Three More British Ships Hit By Torpedoes; Two Are Sunk. SCARBOROUGH, England, Feb. 13.—The new cargo steamer Torquay, of Dartmouth, was towed into Scarborough Harbor last night badly crippled after either striking a mine or having been torpedoed eight miles east of this port.

The damage was amidships, one boiler having been penetrated. One man was killed and two were injured.

HAVRE, via Paris, Feb. 13 (Associated Press).—Shipping circles now consider it practically certain that the British steamer Oriole was torpedoed and sunk by a German submarine. The last time the vessel is known to have been seen was at 3 o'clock P. M. Jan. 30, near Dunquerque, in company with the London Trader, which also is missing.

There is equal certainty that the London Trader shared the fate of the Oriole. A telegram from Bremen says James Cullen, a survivor of the London Trader, was landed there by the steamer Poland, the captain of which stated another ship, whose name he could not give, had sunk three other sailors from the Trader.

(The Oriole left London for Havre on Jan. 28. Her crew numbered twenty-five men. The London Trader, a vessel of 1,100 tons, was built in 1912 and owned by the London Welsh Steamship Company of London.)